

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 3/14/2025
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOMAN AZAD,

Plaintiff,

-against-

CVS ALBANY, L.L.C.,

Defendant.

24-cv-4122 (MKV)

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

On February 11, 2025, the parties notified the Court that the parties have reached a settlement. [ECF No. 23]. The claims in this case include claims arising under the Fair Labor Standards Act. In light of the requirements of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), the parties are directed to file on or before **April 7, 2025** a joint letter with sufficient information to enable the Court to evaluate whether the settlement is fair and reasonable.

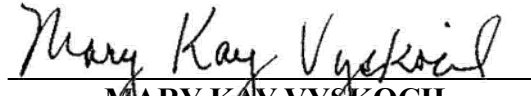
The letter should address the claims and defenses, the defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of the plaintiffs' case and the defendants' defenses, any other factors that justify the discrepancy between the potential value of plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial). The joint letter should also explain the attorney fee arrangement, attach a copy of the retainer agreement, and provide information detailing the actual attorney's fees incurred. Finally a copy of the settlement agreement itself must accompany the joint letter or motion.

The parties are reminded that failure to comply with the Court's orders or comply with the FRCP, the Local Rules for the SDNY or this Court's Individual Practice Rules, or

the parties discovery or other obligations thereunder may result in sanctions, including monetary penalties on counsel and/or the parties , dismissal or preclusion of claims, defenses, arguments, or evidence.

SO ORDERED.

Date: March 14, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge